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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/859,441	05/18/2001	Atsushi Shinozaki	Q64569	3711

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SUGHRUE, MION, ZINN, MACPEAK & SEAS
2100 Pennsylvania Avenue, N.W.
Washington, DC 20037-3202

EXAMINER

MURPHY, RHONDA L

ART UNIT	PAPER NUMBER
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2667

DATE MAILED: 07/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/859,441	Applicant(s) SHINOZAKI, ATSUSHI	
	Examiner Rhonda Murphy	Art Unit 2667	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 March 2005.
 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) ☐ Claim(s) _____ is/are allowed.
 6) ☒ Claim(s) 1-9 is/are rejected.
 7) ☐ Claim(s) _____ is/are objected to.
 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
 10) ☒ The drawing(s) filed on 15 March 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. This communication is responsive to the amendment filed on March 15, 2005. Accordingly, claims 1-9 are currently pending in this application.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1 - 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over applicant's admitted prior art figure 1, Kanji (JP 2897769), and Muhammad et al. (US 6,650,649).

Regarding claims 1, 4 and 7, Figure 1 of the admitted prior art shows base stations of different service networks communicating to it's respective base station control unit of different service networks, through a transmission path, transmitter and line multiplexer/demultiplexer. The prior art depicted in figure 1 fails to teach a common transmission path, transmitter and line multiplexer/demultiplexer.

However, Kanji teaches a common transmission line **50**, transmitter and time slot multiplex/demultiplex control section **200**, between base stations **1, 10** and base station controllers **2, 20** of new and existing systems (different service networks), as shown in Figure 1.

In view of this, having the applicant's admitted prior art and then given the teachings of Kanji, it would have been obvious to one having ordinary skill in the art at the time the invention was made, to modify the system by incorporating a common transmission path and multiplexer/demultiplexer, for the purpose of reducing the cost of building new transmission lines (see abstract).

Although Kanji teaches different service networks, Kanji fails to explicitly disclose the service networks as different types of service networks.

However, Muhammad teaches different types of service networks (col. 9, lines 18-21; ATM and TDM).

In view of this, it would have been obvious to one skilled in the art to modify the applicant's admitted prior art and Kanji's teachings, to include different types of service networks, so as to provide various types of services to subscribers.

Regarding claims 1 and 3, Figure 1 of the admitted prior art shows base station control units of different services networks with separate transmission lines, and Kanji teaches sharing transmission lines between service networks.

A PDC system and IMT-2000 system were not explicitly disclosed as the different types service networks. It is known in the art that a PDC system is a type of STM system and an IMT-2000 system is a type of ATM system.

Furthermore, Muhammad teaches a line sharing method for a TDM (synchronous transport mode; STM) and ATM system (col. 10, lines 57-62). Therefore, it would have been obvious to one skilled in the art to combine the teachings to provide a PDC and

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IMT-2000 system that shares a transmission path to provide different services in a communication network.

Regarding claims 4 and 6, Figure 1 of the admitted prior art shows base station control units of different services networks with separate transmission lines, and Kanji teaches sharing transmission lines between service networks.

Although Kanji teaches different service networks, Kanji fails to explicitly disclose the service networks as different types of service networks.

However, Muhammad teaches different types of service networks (col. 9, lines 18-21; ATM and TDM). It is known in the art that a PDC system is a type of STM system and an IMT-2000 system is a type of ATM system.

In view of this, it would have been obvious to one skilled in the art to modify the applicant's admitted prior art and Kanji's teachings, to include different service networks, such as PDC and IMT-2000, so as to provide different types of services to subscribers.

Regarding claims 2 and 5, the applicant's admitted prior art in Figure 1 shows two systems with dedicated lines. No common interface is necessary to differentiate data between these systems using dedicated lines.

However, an interface or line terminating set is necessary for a system implementing different protocols as shown by Muhammad. Muhammad shows an ATM-STM line interface (Fig. 20, 2012) between the ATM system and the STM system and line multiplexer/demultiplexer.

In a system that shares a common transmission path and multiplexer/demultiplexer, it would have been obvious to one having ordinary skill in the art, to modify the system shown by the admitted prior art and Kanji, by utilizing a line interface to transmit ATM data and STM data, for the purpose of providing services of different systems on a shared transmission path.

Regarding claims 2 and 3, the applicant's admitted prior art, Kanji and Muhammad disclose a shared transmission line and interface in ATM and STM systems. ATM and STM systems are implemented in various networks.

A PDC and IMT-2000 network is not explicitly disclosed by the admitted prior art or Kanji.

However, Muhammad teaches ATM and TDM networks (col. 9, lines 18-21). It is known in the art that a PDC system is a type of STM system and an IMT-2000 system is a type of ATM system.

Thus, modifying the system of admitted prior art and Kanji, provides a PDC and IMT-2000 network that utilizes ATM and STM protocols for transmitting data along a shared transmission line.

Regarding claims 5 and 6, the applicant's admitted prior art, Kanji and Muhammad disclose a shared transmission line and interface in ATM and STM systems. ATM and STM systems are implemented in various networks. A PDC and IMT-2000 network is not explicitly disclosed by the admitted prior art or Kanji.

However, Muhammad teaches ATM and TDM networks (col. 9, lines 18-21). It is known in the art that a PDC system is a type of STM system and an IMT-2000 system is a type of ATM system.

Thus, modifying the system of admitted prior art and Kanji, provides a PDC and IMT-2000 network that utilizes ATM and STM protocols for transmitting data along a shared transmission line.

Regarding claims 8, Kanji teaches a common transmission line **50**, transmitter and time slot multiplex/demultiplex control section **200**, between base stations **1**, **10** and base station controllers **2**, **20** of new and existing systems (different service networks), as shown in Figure 1.

Kanji and admitted prior art failed to disclose the multiplexer/demultiplexer connecting an ATM network to an STM network.

However, Muhammad teaches a line sharing method comprising an ATM and TDM networks (col. 9, lines 18-21).

In view of this, it would have been obvious to one skilled in the art to modify the systems to include an ATM and STM network, so as to provide different types of services to subscribers.

Regarding claims 9, the same limitations are taught as described in the rejection of claim 7. Furthermore, Muhammad teaches ATM and TDM networks (col. 9, lines 18-21).

In view of this, it would have been obvious to one skilled in the art to modify the systems to include an ATM and STM network, so as to provide different types of services to subscribers.

Conclusion

3. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rhonda Murphy whose telephone number is (571) 272-3185. The examiner can normally be reached on Monday - Friday 8:00 - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi Pham can be reached on (571) 272-3179. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Rhonda Murphy
Examiner
Art Unit 2667

rlm



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SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2667

7/11/05